

Jan 04, 2023

SEAN F. McAVOY, CLERK

1 Vanessa R. Waldref
2 United States Attorney
3 Eastern District of Washington
4 Stephanie Van Marter
5 Assistant United States Attorney
6 Post Office Box 1494
7 Spokane, WA 99210-1494
8 Telephone: (509) 353-2767

9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ISRAEL GARCIA,

15 Defendant.

2:23-CR-1-SAB

INDICTMENT

Vio.: 18 U.S.C. § 924(c)(1)(A)
Discharge of a Firearm During
and in Relation to a Drug
Trafficking Crime (Count 1)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(vi)
Possession with the
Intent to Distribute 400
Grams or More of
Fentanyl (Count 2)

18 U.S.C. §§ 922(g)(1),
924(a)(8)
Felon in Possession of a
Firearms (Count 3)

18 U.S.C. § 924, 28
U.S.C. § 2461, 21 U.S.C.
§ 853
Forfeiture Allegations

1 The Grand Jury charges:

2 COUNT 1

3 On or about October 16, 2022, the Defendant, ISRAEL GARCIA, did
4 knowingly use, carry, brandish, and discharge a firearm, to wit: a Springfield XD,
5 .45 caliber pistol, bearing serial number GM513032, during and in relation to a
6 drug trafficking crime for which he may be prosecuted in a court of the United
7 States, to wit: Possession with Intent to Distribute 400 Grams or More of Fentanyl
8 as charged in Count 2 of this Indictment, all in violation of 18 U.S.C. §
9 924(c)(1)(A).
10
11
12

13 COUNT 2

14 On or about October 16, 2022, in the Eastern District of Washington, the
15 Defendant, ISRAEL GARCIA, did knowingly possess with intent to distribute 400
16 or more grams or of a mixture or substance containing a detectable amount of N-
17 phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a fentanyl), a
18 Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),
19 (b)(1)(A)(vi).
20
21
22

23 COUNT 3

24 On or about October 16, 2022, in the Eastern District of Washington, the
25 Defendant, ISRAEL GARCIA, knowing of his status as a person previously
26 convicted of a crime punishable by imprisonment for a term exceeding one year,
27 did knowingly possess in and affecting commerce, firearms, to wit: a Springfield
28

1 XD, .45 caliber pistol, bearing serial number GM513032 and a Glock 19, 9mm
2 pistol, bearing serial number BPNU554, which firearms had theretofore been
3 transported in interstate and/or foreign commerce, in violation of 18 U.S.C. §§
4 922(g)(1), 924(a)(8).
5

6
7 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

8 The allegations contained in this Indictment are hereby realleged and
9 incorporated by reference for the purpose of alleging forfeitures.
10

11 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction
12 of an offense in violation of 18 U.S.C. § 924(c)(1)(A); and/or 18 U.S.C. §§
13 922(g)(1), 924(a)(8), as set forth in this Indictment, the Defendant, ISRAEL
14 GARCIA, shall forfeit to the United States of America any firearm and
15 ammunition involved or used in the commission of the offense, including, but not
16 limited to:
17

- 18
19
20 - a Springfield XD, .45 caliber pistol, bearing serial number GM513032
21 (Counts 1 and 3); and,
22 - a Glock 19, 9mm pistol, bearing serial number BPNU554 (Count 3).

23 Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21
24 U.S.C. § 841(a)(1), as set forth in this Indictment, the Defendant, ISRAEL GARCIA,
25 shall forfeit to the United States of America, any property constituting, or derived from,
26 any proceeds obtained, directly or indirectly, as the result of such offense and any
27
28

1 property used or intended to be used, in any manner or part, to commit or to facilitate
2 the commission of the offense. The assets to be forfeited include, but are not limited to:

- 3 - a Springfield XD, .45 caliber pistol, bearing serial number GM513032; and,
- 4 - a Glock 19, 9mm pistol, bearing serial number BPNU554.

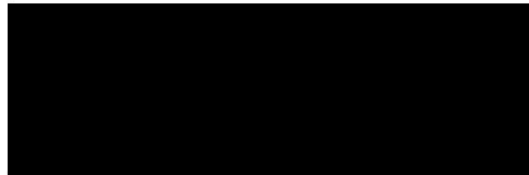
5 If any forfeitable property, as a result of any act or omission of the Defendant:

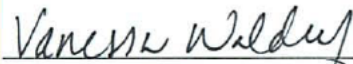
- 6 a. cannot be located upon the exercise of due diligence;
- 7 b. has been transferred or sold to, or deposited with, a third party;
- 8 c. has been placed beyond the jurisdiction of the court;
- 9 d. has been substantially diminished in value; or
- 10 e. has been commingled with other property which cannot be divided
- 11 without difficulty,

12 the United States of America shall be entitled to forfeiture of substitute property
13 pursuant to 21 U.S.C. § 853(p).

14 DATED this 4 day of January 2023.

15 A TRUE BILL



16 

17 Vanessa R. Waldref
18 United States Attorney

19 

20 Stephanie Van Marter
21 Assistant United States Attorney